

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PRIDE MOBILITY PRODUCTS CORP.,

Plaintiff,

v.

BRYAN DYLEWSKI,

Defendant,

and

PRIDE MOBILITY PRODUCTS CORP.,

Plaintiff,

v.

MOBILITY PRODUCTS UNLIMITED,  
LLC, JOHN WARD, and TERESA M.  
WARD,

Defendants.

CIVIL ACTION NO. 3:08-cv-0231

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Presently before this Court is Blank Rome LLP's Renewed Motion for Leave to Withdraw. (Doc. 127.) This Motion will be granted.

Under Rule 1.16(b)(6) of the Pennsylvania Rules of Professional Conduct, adopted by the Middle District of Pennsylvania under Local Rule 83.23.2, an attorney is permitted to withdraw from representing a client if "the representation will result in an unreasonable financial burden on the lawyer." Rule 1.16(b)(5) also allows attorney withdraw if "the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is

fulfilled.” Furthermore, Rule 1.16(b)(7) permits an attorney to withdraw where “good cause for withdrawal exists.”

Here, Moving Counsel states that it has provided Mobility Products Unlimited and the Wards legal services in excess of one-hundred and twenty-seven thousand dollars (\$127,000.00) – a figure that they have offered to support with documents for an *in camera* review by the Court if necessary – and have not received any payment for these services since November 2009. Moving Counsel further states that if they were made to continue on as counsel, these fees would exponentially increase as they prepared for trial. Moving Counsel finally states that the Wards have been on notice that they needed to obtain new counsel since the Leave for Withdraw was originally filed in December 2009. The Court agrees with Moving Counsel, and finds that their continued representation of the Wards without financial remuneration would impose an unreasonable financial burden. Moving Counsel’s Motion for Leave to Withdraw will be granted.

**NOW**, this 12th day of April, 2011, **IT IS HEREBY ORDERED THAT** Blank Rome LLP’s Renewed Motion to Withdrawal as Counsel is **GRANTED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge